

DAVID C Brown

Petitioner

F55818

FILED

DEclaration IN SUPPORT
OF REQUEST
TO PROCEED
IN FORMA PAUPERIS

RECEIVED
FEB 6 PM 2:56
CLERK'S OFFICE OF THE STATE OF CALIFORNIA

BY RM DEPUTY

OBEDIENT JM (NLS)

M.E. Poulos (WARDEN) ET AL

Respondent(s)

I, DAVID Brown

, declare that I am the petitioner in the above entitled case; that in support of my motion to proceed without being required to prepay fees, costs or give security therefor, I state that because of my poverty I am unable to pay the costs of said proceeding or to give security therefor; that I believe I am entitled to relief.

1. Are you presently employed? Yes No

a. If the answer is yes, state the amount of your salary or wages per month, and give the name and address of your employer. N/A N/A

b. If the answer is no, state the date of last employment and the amount of the salary and wages per month which you received. OCT 15, 2003

2. Have you received, within the past twelve months, any money from any of the following sources?

- a. Business, profession or form of self-employment? Yes No
- b. Rent payments, interest or dividends? Yes No
- c. Pensions, annuities or life insurance payments? Yes No
- d. Gifts or inheritances? Yes No
- e. Any other sources? Yes No

If the answer to any of the above is yes, describe each source of money and state the amount received from each during the past twelve months: N/A N/A

3. Do you own any cash, or do you have money in a checking or savings account? (Include any funds in prison accounts)

Yes No

If the answer is yes, state the total value of the items owned: N/A N/A

N/A

4. Do you own any real estate, stocks, bonds, notes, automobiles, or other valuable property? (Excluding ordinary household furnishings and clothing) Yes No

If the answer is yes, describe the property and state its approximate value: N/A

5. List the persons who are dependent upon you for support, state your relationship to those persons, and indicate how much you contribute toward their support: N/A

N/A N/A

I, declare (or certify, verify or state) under penalty of perjury that the foregoing is true and correct.

Executed on 12-17-2007
Date

Daniel C. Brown
Signature of Petitioner

CERTIFICATE

I hereby certify that the Petitioner herein has the sum of \$ \$ 9.66 on account to his credit at the CALIFORNIA INSTITUTION FOR MEN institution where he is confined. I further certify that Petitioner likewise has the following securities to his credit according to the records of said institution: N/A

1/17/08
Date

F. N. Spencer CC-1
Authorized Officer of Institution/Title of Officer
F. N. SPENCER

TS210B

CALIFORNIA DEPARTMENT OF CORRECTIONS
ITAS TRUST ACCOUNT DISPLAY

----- ACCOUNT INFORMATION ----- ----- SPECIAL ITEMS -----

ACCOUNT NUMBER: F55818

ACCOUNT NAME: BROWN, DAVID CARLTON

ACCOUNT TYPE: I

CURRENT BALANCE: 9.66

HOLD BALANCE: 3.35

ENCUM. BALANCE: 0.00

AVAILABLE: 6.31

PRIVILEGE GROUP: A

LAST CANTEEN: 12/10/2007

ACCOUNT TRANSACTIONS					TS210CA	
DATE	TRAN	AMOUNT	DESCRIPTION	CHECK NUM	COMMENT	BALANCE
11/07/07	W502	0.25-	POSTAGE CHARGE	2698/LPOST		4.85
11/09/07	W502	1.82-	POSTAGE CHARGE	2800/LPOST		3.03
12/06/07	UD54	8.38	INNATE PAYROLL-	3143/NOV07		11.41
12/06/07	UD54	12.24	INNATE PAYROLL-	3166/OCT07		23.65
12/10/07	FC02	23.65-	DRAW-FAC 2	3196/MSF1		0.00
01/07/08	UD54	9.66	INNATE PAYROLL-	3593/DEC07		9.66

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REST	ACCOUNT	PREVIOUS	NEXT	DISPLAY	SELECT	PRINT	MAIN
F1M5	DISPLAY	PAGE	PAGE	HOLDS	NEW ACCT	SCREEN	MENU

TS210B

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TS210CA

DATE	TRAN	AMOUNT	DESCRIPTION	CHECK NUM	COMMENT	BALANCE
10/04/07	UD54	9.66	INMATE PAYROLL-		2003/SEPT	15.66
10/18/07	W516	0.40-	LEGAL COPY CHAR		2287/COPY	15.26
10/19/07	W502	2.16-	POSTAGE CHARGE		2310/POST	13.10
10/19/07	W516	7.20-	LEGAL COPY CHAR		2343/LCOPY	5.90
10/19/07	W516	0.40-	LEGAL COPY CHAR		2343/LCOPY	5.50
11/02/07	W516	0.40-	LEGAL COPY CHAR		2636/LCOPY	5.10

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REST	ACCOUNT	PREVIOUS	NEXT	DISPLAY	SELECT	PRINT	MAIN
FINES	DISPLAY	PAGE	PAGE	HOLDS	NEW ACCT	SCREEN	MENU

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----- ACCOUNT TRANSACTIONS -----

TS210CA

DATE	TRAN	AMOUNT	DESCRIPTION	CHECK NUM	COMMENT	BALANCE
08/08/07	W502	0.87-	POSTAGE CHARGE		0803/LPOST	12.84
08/09/07	W516	0.30-	LEGAL COPY CHAR		0840/LCOPY	12.54
08/09/07	W502	0.25-	POSTAGE CHARGE		0853/ POST	12.29
08/13/07	FC02	12.29-	DRAW-FAC 2		887 MIN1ST	0.00
09/07/07	UD54	10.30	INMATE PAYROLL-		1415/AUG07	10.30
09/14/07	W516	4.30-	LEGAL COPY CHAR		1624/COPY	6.00

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REST	ACCOUNT	PREVIOUS	NEXT	DISPLAY	SELECT	PRINT	MAIN
FINES	DISPLAY	PAGE	PAGE	HOLDS	NEW ACCT	SCREEN	MENU

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

DAVID CARLTON BROWN,

Petitioner,

v.

M. E. POULOS, Warden, et al.,

Respondents.

Civil No. 08cv0017-JM (NLS)

**ORDER DISMISSING CASE
WITHOUT PREJUDICE**

Petitioner, a state prisoner proceeding pro se, has filed a Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2254, but has failed to pay the \$5.00 filing fee and has failed to move to proceed in forma pauperis. Because this Court cannot proceed until Petitioner has either paid the \$5.00 filing fee or qualified to proceed in forma pauperis, the Court **DISMISSES** the case without prejudice. See Rule 3(a), 28 U.S.C. foll. § 2254. If Petitioner wishes to proceed with this case, he must submit, **no later than March 10, 2008**, a copy of this Order with the \$5.00 fee or with adequate proof of his inability to pay the fee. The Clerk of Court shall send a blank Southern District of California In Forma Pauperis Application to Petitioner along with a copy of this Order.

IT IS SO ORDERED.

DATED: January 15, 2008


Hon. Jeffrey T. Miller
United States District Judge

CC: ALL PARTIES